

REMARKS

Claim 14 currently appears in this application. The Office Action of September 13, 2002, has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicants respectfully request favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

Claim Objections

Claim 11 is objected to because of the language "a potential donors."

Claim 11 has been cancelled and new claim 14 written to include the limitations of claim 11 in claim 12. The objected-to language has been omitted from new claim 14.

Rejections under 35 U.S.C. 112

Claims 11-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

This rejection is respectfully traversed. Claim 14 is the only claim remaining in the application, and claim 14 has been written to recite that, if (a), (b), or (c) is positive, concluding that the donor or potential donor is a carrier of HTLV-I or HTLV-II. This concluding step is a positive step.

Art Rejections

Claims 11 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Zucker-Franklin et al. (*The Lancet* 349, 999, 1997).

This rejection is respectfully traversed. Claims 11 and 13 have been cancelled by the present amendment, rendering this rejection moot.

Allowable Subject Matter

The Examiner notes that no references were found teaching or suggesting claim 12, but claim 12 is objected to as being dependent upon rejected claim 11.

Claim 12 has been cancelled in favor of new claim 14, which new claim includes all of the limitations of claim 12 in an independent claim.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Respectfully submitted,

FROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

By



Andrew H. Kornbau

Registration No. 25,884

Telephone No.: (202) 628-5197

Facsimile No.: (202) 737-3528

AMK:nmp

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